



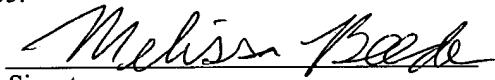
DOCKET NO.: S1446.70000US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Schmidtberg et al.
Serial No.: 10/702,099
Confirmation No.: 6804
Filed: November 5, 2003
For: METHODS AND APPARATUS FOR COMMUNICATING
CONDITION INFORMATION ASSOCIATED WITH AN
ITEM
Examiner: Uyen Chau N. Le
Art Unit: 2876

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to **MAIL STOP AMENDMENT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 13rd day of April, 2005.


Signature

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

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PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicants hereby make the following additional information of record in the above-identified application:

The Applicants would like to bring to the Examiner's attention the enclosed Office Action dated January 18, 2005 from co-pending U.S. Patent Application Serial No. 10/702,100, previously disclosed as potentially containing subject matter related to this application.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Schmidtberg et al., Applicants

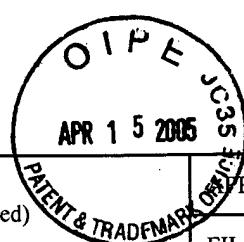
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Docket No.: S1446.70000US01

Date: April 13, 2005

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| FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | APPLICATION NO.: 10/702,099 | ATTY. DOCKET NO.: S1446.70000US01 |
| | | | | FILING DATE: November 5, 2003 | CONFIRMATION NO.: 6804 |
| | | | | APPLICANTS: Schmidtberg et al. | |
| | | | | GROUP ART UNIT: 2876 | EXAMINER: Not yet assigned |
| Sheet | 1 | of | 1 | | |

U.S. PATENT DOCUMENTS

| Examiner's Initials | Cite No. | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication or of issue of Cited Document MM-DD-YYYY |
|---------------------|----------|----------------------|-----------|---|---|
| | | Number | Kind Code | | |
| | 1 | US-6,681,990 | | Vogler et al. | 01-27-2004 |
| | 2 | US-6,712,276 | B1 | Abali et al. | 03-30-2004 |
| | 3 | US-6,138,105 | | Walker et al. | 10-24-2000 |
| | 4 | US-5,798,694 | | Reber et al. | 08-25-1998 |
| | 5 | US-2004/0087273 | | Perttila et al. | 05-06-2004 |
| | 6 | US-2004/0145472 | A1 | Schmidtberg et al. | 07-29-2004 |
| | 7 | US-2004/0145474 | A1 | Schmidtberg et al. | 07-29-2004 |
| | 8 | US-2004/0155106 | | Schmidtberg et al. | 08-12-2004 |
| | 90 | US-2003/0141985 | | Haller et al. | 07-31-2003 |
| | 10 | US-2001/0045893 | | Swartzel et al. | 11-29-2001 |

FOREIGN PATENT DOCUMENTS

| Examiner's Initials | Cite No. | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document (not necessary) | Date of Publication of Cited Document MM-DD-YYYY | Translation (Y/N) |
|---------------------|----------|-------------------------|--------|-----------|--|---|-------------------|
| | | Office/ Country | Number | Kind Code | | | |
| | | | | | | | |

OTHER ART – NON PATENT LITERATURE DOCUMENTS

| Examiner's Initials | Cite No | Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published. | Translation (Y/N) |
|---------------------|---------|---|-------------------|
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EXAMINER: _____ DATE CONSIDERED: _____

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. ___, filed ___, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]